

**HUMAN SERVICES DEPARTMENT[441]**

**Adopted and Filed**

Pursuant to the authority of Iowa Code section 514I.5, the Department of Human Services amends Chapter 86, “Healthy and Well Kids in Iowa (HAWK-I) Program,” Iowa Administrative Code.

These amendments require that, as a condition of eligibility for HAWK-I, applicants and enrollees shall:

- Attest to and provide acceptable proof of their citizenship status and identity; and
- Provide a social security number.

Public Law 111-3, the Children’s Health Insurance Program Reauthorization Act of 2009 (CHIPRA), requires the state to verify the citizenship status and identity of all children applying for or enrolling in the HAWK-I program. One method permitted for verifying citizenship status is conducting a match with Social Security Administration data. A social security number is not currently required for HAWK-I eligibility but will be necessary to conduct a match with Social Security Administration data.

Verification of citizenship and identity and provision of a social security number have been required in the Medicaid program for a number of years. These amendments are parallel to the Medicaid requirements. These amendments do not change the classifications of noncitizen children who are eligible to enroll in the program (e.g., lawful permanent residents, refugees).

Other than an exception for people who refuse to obtain social security numbers due to sincere religious beliefs, these amendments do not provide for waivers in specified situations, because the Department does not have the authority to waive federal requirements.

Notice of Intended Action on these amendments was published in the Iowa Administrative Bulletin on September 9, 2009, as **ARC 8110B**. The Department received no comments on the Notice of Intended Action. These amendments are identical to those published under Notice of Intended Action.

The HAWK-I Board adopted these amendments on October 19, 2009.

These amendments are intended to implement Iowa Code chapter 514I and Public Law 111-3.

These amendments shall become effective on January 1, 2010.

EDITOR’S NOTE: Pursuant to recommendation of the Administrative Rules Review Committee published in the Iowa Administrative Bulletin, September 10, 1986, the text of these amendments [86.2(7), 86.2(12)] is being omitted. These amendments are identical to those published under Notice as **ARC 8110B**, IAB 9/9/09.

[Filed 10/19/09, effective 1/1/10]

[Published 11/18/09]

[For replacement pages for IAC, see IAC Supplement 11/18/09.]